



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No. 13

EPSON RESEARCH AND DEVELOPMENT INC
INTELLECTUAL PROPERTY DEPT
150 RIVER OAKS PARKWAY, SUITE 225
SAN JOSE CA 95134

COPY MAILED

JUN 07 2004

OFFICE OF PETITIONS

ON PETITION

In re Application of
Mori, et al.
Application No. 10/026,286
Filed: December 20, 2001
Attorney Docket No. P6495a
For: PATTERN FORMING METHOD AND
APPARATUS USED FOR SEMICONDUCTOR
DEVICE, ELECTRIC CIRCUIT, DISPLAY
MODULE, AND LIGHT EMITTING DEVICE

This is a decision on the reconsideration petition under 37 CFR 1.137(a), filed May 13, 2004, to revive the above-identified application.

The above-identified application was filed on December 20, 2001. On February 22, 2002, the Office mailed a Notice to File Missing Parts of Nonprovisional Application, giving petitioners a two month extendable period to submit, *inter alia*, an English translation of the foreign language specification and a statement that the translation is accurate. On April 19, 2002, petitioners submitted, *inter alia*, an English translation of the application and an statement of its accuracy. On June 27, 2002 petitioners submitted a preliminary amendment in which the marked up version contained claims commencing on a separate page.

On October 1, 2003, the Office mailed a Notice of Incomplete Reply (Nonprovisional) which required petitioners to submit replacement claims commencing on a separate sheet. The Notice did not set a new period for reply. Instead, the Notice retained the period for reply set in the February 22, 2002 Notice. This period expired on April 22, 2002. Thus, the application became abandoned on April 23, 2002. The filing of the instant petition precedes the mailing of a Notice of Abandonment.

Petitioners have established that they were unavoidably prevented from timely responding to the October 1, 2003 Notice of Incomplete Reply (Nonprovisional), which should have set a new period for reply. In addition, petitioners have submitted a replacement specification that includes claims commencing on a separate sheet and an abstract.

Accordingly, the reconsideration petition to revive under 37 CFR 1.137(a) is **GRANTED**.

After the mailing of this decision, the application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (703) 308-6712.

A handwritten signature in cursive script, appearing to read "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions